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UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

FEB 28 2023

CLERK, U.S. DISTRICT COURT
MINNEAPOLIS, MINNESOTA

United States of America

Plaintiff(s),

vs.

Case No. 22-CV-41 (ENT/TNL)

Fontane Hollie

Defendant.

Answer or Answer and Counterclaim

Defendant denies everything in Plaintiff's Complaint, except as admitted, or otherwise answered.

1. **Deny.** All statements are untrue in paragraph numbers – 19, 20
2. **Admit.** All statements are true in paragraph numbers – 1-5; 11-14; 16; 18; 21
3. **Partially True.** The information in the following paragraphs is partially true and partial false – 15 & 17

In these partially true paragraphs, I deny everything except the following statements, which are true: 15: I work for On The Move Trucking and we buy, sell, and move vehicles & 17: I am disabled and earn ~2k a month from the trucking company

4. **Insufficient Information.** There is insufficient information to determine if the following paragraphs and/or statements are true: 6, 7 – 9, 10, 22
5. I claim the following Affirmative Defense(s): (check only defenses that apply)
 - Accord and satisfaction
 - Arbitration and award
 - Assumption of risk
 - Contributory negligence
 - Discharge in bankruptcy
 - Duress
 - Estoppel
 - Failure of consideration
 - Fraud
 - Illegality

SCANNED

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U.S. DISTRICT COURT MPLS

Injury by fellow servant
Laches
License
Payment
Release
Res judicata
Statute of frauds
Statute of limitations
Waiver
Other

Facts that support my affirmative defense(s): The preponderance of the evidence standard for the Plaintiff's claim pursuant to U.S.C 88a (a)(6) has not been met by the facts laid out in the Complaint. Moreover, the Innocent Owner Defense would apply to most, if not all, of the property seized by the Plaintiff.

6. Counterclaim: (check one)

I have no Counterclaims.

I make the following Counterclaims against Plaintiff arising from the same transactions described in the Plaintiff's Complaint.

I ask the Court to: (check all that apply)

Dismiss Plaintiff's Complaint, enter judgment in my favor, and award all costs and disbursements allowed by Minn. Stat. § 549.11.

Enter judgment for me on my counterclaims, if any.

Order that:

All funds be returned to me as soon as a possible.

Acknowledgment

By presenting this form to the court, I certify that to the best of my knowledge, information, and belief, the following statements are true. I understand that if a statement is not true, the court can order a penalty against me (such as to pay money to the other party, pay court costs, and/or other penalties).

1. The information I included in this form is based on facts and supported by existing law.
2. I am not presenting this form for any improper purpose. I am not using this form to:
 - a. Harass anyone.
 - b. Cause unnecessary delay in the case; or
 - c. Needlessly increase the cost of litigation.
3. No judicial officer has said I am a frivolous litigant.
4. There is no court order saying I cannot serve or file this form.
5. This form does not contain any "restricted identifiers" or confidential information as defined in Rule 11 of the General Rules of Practice (https://www.revisor.mn.gov/court_rules/gp/id/11/) or the Rules of Public Access to Records of the Judicial Branch (https://www.revisor.mn.gov/court_rules/rule/ra-toh/).

~~6. If I use or file "restricted identifiers" required by Rule 11~~ If I use or file "restricted identifiers" required by Rule 11, or confidential information, or confidential document, I

Dated: 2/28/23

Signature:

Name: Fontane Hollie

Address: 4630 ROSSELL AVE N.

City/State/Zip: MPLS, MN, 55412

Telephone: (763) 600-3097

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Attorney for: